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| 10/700,132 | 11/03/2003 | Dave R. Dehart | 10015848-1 | 3690 |

22879 7590 12/29/2006
HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

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| EXAMINER |
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KUMAR, ANIL N

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| ART UNIT | PAPER NUMBER |
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2112

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|--|------------|---------------|
| 3 MONTHS | 12/29/2006 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/700,132

Applicant(s)

DEHART, DAVE R.

Examiner

Anil N. Kumar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the original filing of November 3rd, 2003. Claims (1-20) are pending and have been considered below.

Drawings

2. The subject matter of this application admits of illustration by a drawing to facilitate understanding of the invention. Applicant is required to furnish a drawing under 37 CFR 1.81(c). No new matter may be introduced in the required drawing. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d).

Fig. 2 is missing.

Claim Objections

3. Claim 6 is objected to because of the following informalities: "link is provided on the Support Manual". The Examiner assumes this to mean, "link is provided on the Support Manual Page". Appropriate correction is required.
4. Claim 10 is objected to because of the following informalities: the word "install" as used in the claim is not present in the specification. The Examiner will use the word "store" to mean the word "install" as used in the claim.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claim 9 and its dependent claims 10-12, as they do not add any additional structure, are rejected under 35 U.S.C. 112, first paragraph, because the method in this claim consists of a single step: "providing information ...", and thus is interpreted as a single means/single step claim under MPEP 2164.08(a).

"A single means claim, i.e., where a means recitation does not appear in combination with another recited element of means, is subject to an undue breadth rejection under 35 U.S.C. 112, first paragraph. In re Hyatt, 708 F.2d 712, 714-715, 218 USPQ 195, 197 (Fed. Cir. 1983) (A single means claim which covered every conceivable means for achieving the stated purpose was held nonenabling for the scope of the claim because the specification disclosed at most only those means known to the inventor.). When claims depend on a recited property, a fact situation comparable to Hyatt is possible, where the claim covers every conceivable structure (means) for achieving the stated property (result) while the specification discloses at most only those known to the inventor."

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7. Claim 14 and its dependent claims 16, 18-19, as they do not add any additional structure, are rejected under 35 U.S.C. 112, first paragraph, because the method in this claim consists of a single step: "providing information ...", and thus is interpreted as a single means/single step claim under MPEP 2164.08(a).

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The claim enables the user to install the information n the printer. The Examiner couldn't find any support in the specification that enables the user of printers to directly install anything anywhere. Note there is no mention of "install" in the specification as well.

10. Claims 16, 17 and 19 recites the limitation "the computer system" in the Claim 14. Note that Claim 14 does not disclose any system. There is insufficient antecedent basis for this limitation in the claim. However the Examiner will assume that these claims are dependent claims of Claim 15 for further examination.

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11. Examiner's Note. The Applicant appears to be attempting to invoke 35 U.S.C. 112 6th paragraph in Claim 20 by using "means-plus-function" language. As the claim passes the three-prong test used to determine invocation of paragraph 6, the claim does meet the three-prong test. Therefore, 35 U.S.C. 112 6th paragraph has been successfully invoked when considering these claims below.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 1-10, 12-20 are rejected under 35 U.S.C. 103 as being anticipated by Charles Gazdik et al. (US 6847466)

The applied reference has a common Assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

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Claims 1 , 9 and 14: Gazdik in column 1 line [60-67] and Fig. 1 discloses a method for providing a configurable program interface to access and select printer specific job setting. The claimed invention is to display a fully qualified Web link to access support manuals, of the specific printer. Note all the related work such as displaying all the networked printers, allowing the selection of a printer is prior art as is clear from the Fig. 2. The Examiner believes that it would have been obvious to one having ordinary skill in the art at the time the invention to provide additional information about the printer directly like status, or a path (COMMET: \\COMP\PRINTER1) to local or networked drive, as well as link to a web page as an URL to an web server that will serve up the correct pages.

Furthermore:

- i. Gazdik in Fig 1, discloses under prior art, a print dialog box
- ii. including a network path (COMMET: \\COMP\PRINTER1). The Examiner believes it would it would have been obvious to one having ordinary skill in the art at the time the invention to provide a fully qualified URL to a web site that the user can use to get the information about the printer, with the obvious expectation that the web site will provide the right information the link demands, when the link is actuated by the user.

Claims 2 and 12: Gazdik discloses a method for providing a configurable program interface to access and select printer specific job setting as in Claims 1 and 9 above, and furthermore in Fig. 1 discloses a Print Dialog Box with links to

multiple features (properties, options). In addition, as disclosed in Fig. 2, these feature (properties) links will eventually display a Properties Dialog Box, with multiple tabs or pages.

Claim 3: Gazdik discloses a method for providing a configurable program interface to access and select printer specific job setting as in Claim 1 above, and furthermore in Fig 1, discloses under prior art, a "Print Dialog Box".

Claims 4-7: Gazdik discloses a method for providing a configurable program interface to access and select printer specific job setting as in Claim 1 above, and furthermore in Fig 1, discloses under prior art, a "Print Dialog Box" with

- i. a Properties actuator link
- ii. Upon actuating this link, a multiple tabs or pages Properties Dialog Box is displayed as disclosed in Fig. 2. Even though there are no web links shown explicitly in Fig. 2, the Examiner believes it would it would have been obvious to one having ordinary skill in the art at the time the invention to provide a fully qualified URL to a web site. In addition, depending the URL, any typical web server will display the First page (default) or any other pages as specified by the link.
- iii. the Examiner believes it would it would have been obvious to one having ordinary skill in the art at the time the invention to name the tabs or pages with appropriate headers like Layout Page, etc... and to make sure

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the links display the correct URL for the web server. The Examiner does not believe that this invention can somehow guarantee that the web server will display the correct information, just because the link displayed here is correct.

Claims 8, 13 and 16: Gazdik discloses a method for providing a configurable program interface to access and select printer specific job setting as in Claims 1, 9 and 14 above, and furthermore in Fig. 1 discloses a Print Dialog Box with a drop-down menu to select the printer. Note according to Fig. 1, the information (Status, Type, etc...) about the printer selected will dynamically change as soon as the selection is made. Therefore, the Examiner believes it would have been obvious to one having ordinary skill in the art at the time the invention to update the URL link to point to the correct selected printer, similar to the path information (COMMENT:\\COMP\\PRINTER1) about that printer.

Claims 10, 18 and 19: Gazdik discloses a method for providing a configurable program interface to access and select printer specific job setting as in Claims 9 and 14 above, and furthermore in Column 3 lines (62-64) discloses a method to store printer specific information on a mass storage device connected to the system. In addition, since the prior art clearly discloses that the printer specific information such as Status information is stored on the printer and is dynamically accessed and displayed to the user. Therefore, the Examiner believes it would it

would have been obvious to one having ordinary skill in the art at the time the invention to store the link to printer information on the printer or anywhere on the system.

Claims 15: Gazdik discloses a method for providing a configurable program interface to access and select printer specific job setting as in Claim 14 above, and furthermore in column 3 lines (51-57) and Fig 3, discloses an operating environment that includes:

- i. a computer or a CPU to execute computer instructions
- ii. a memory to load programs and process it
- iii. a printer interface instructions
- iv. as well as networked connections to printer(s)

Claim 17: Gazdik discloses a method for providing a configurable program interface to access and select printer specific job setting as in Claim 14 above, and furthermore in column 3 lines (51-53) and Fig 3, discloses a printer connected to the computer.

Claim 20: Gazdik discloses a method for providing a configurable program interface to access and select printer specific job setting as in Claim 14 above,

and furthermore in column 2 lines (37-39) and Figs. 1 and 2, discloses an application program (method) to displaying a dialog box, which in turn is used to display a link.

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Clough (US 26,788,429 B1) discloses a method for managing a print queue over a computer network.

b. McNally (US 6,384,850 B1) discloses an An information management and synchronous communications system and method facilitates database equilibrium and synchronization with wired, wireless and Web-based systems, user-friendly and efficient generation of computerized menus and reservations for restaurants and other applications that utilize equipment with nonstandard graphical formats, display sizes and/or applications for use in remote data entry, information management and communication with host computer, digital input device or remote pager via standard hardwired connection, the internet, a wireless link or the like.

c. Feagans (US 6,366,297 B1) discloses a system and method for displaying information from a device on a display screen using application screens generated by a graphical user interface.

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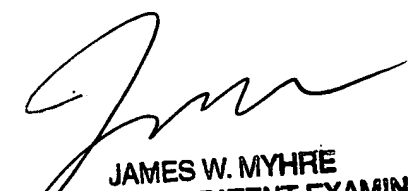
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anil N. Kumar whose telephone number is (571) 270-1693. The examiner can normally be reached on Mon-Fri EST (Alternate Fridays off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Myhre can be reached on (571) 272-6722. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ANK

December 12th, 2006



JAMES W. MYHRE
SUPERVISORY PATENT EXAMINER